

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
IN RE PHARMACEUTICAL INDUSTRY	)	MDL NO. 1456
AVERAGE WHOLESALE PRICE	)	CIVIL ACTION NO.
LITIGATION	)	01-12257-PBS
_____	)	

**CASE MANAGEMENT ORDER NO. 13**

March 10, 2005

Saris, U.S.D.J.

After review of the submissions, I order the following revised schedule for track one defendants:

1. Regardless of the status of the motion for class certification:

August 31, 2005	- Close of Fact Discovery
October 1, 2005	- Plaintiffs file their expert reports on liability
November 15, 2005	- Defendants file expert reports on liability
January 15, 2006	- Completion of expert depositions

2. If this Court's order on class certification is unappealed, the parties shall propose a schedule for summary judgment briefing within 15 days of the Court's order.

3. If this Court's order on class certification is appealed:

30 days after the Court of Appeals' decision on appeal from class certification ("Appeals Decision")	- Defendants' motion for summary judgment
60 days after the Appeals Decision	- Plaintiffs' opposition

75 days after the Appeals  
Decision

- The Reply

90 days after the Appeals  
Decision

- The Surreply

S/PATTI B. SARIS  
United States District Judge